

Fleming County Project Development Board
160 West Electric Avenue, Flemingsburg, KY 41041
Record of Meeting, December 1, 2009, 5:00 pm Eastern

The meeting was called to order at 5:00 pm by Chairperson CJE Larry H. Foxworthy.
Roll call was completed as noted below.

Present: Larry H. Foxworthy, Judge W. Todd Walton II, Marvin Suit, Judge
Stockton Wood, David DeAtley, Louie Flanery and Pam Lowe

Absent: J. Scott Brown

Other Attendees: Sam Howard, Trace Creek Construction, Inc. (TCCI)
Eddie Sorrell, Trace Creek Construction, Inc. (TCCI)
Mike Carroll, Eric Chambers, Alex Sasmay, Brandstetter Carroll Architects (BCA)
David Whittaker, Administrative Office of the Courts (AOC)

Old Business A motion was made to approve the minutes from the meeting of November 3, 2009.
Motion by Lowe. Seconded by Flanery. All in favor.

New Business Sam Howard, TCCI, reviewed pay applications for approval. AOC has not
approved as of today's date due to holiday schedule.

A motion was made to approve payment of TCCI Application ES-02 dated 11-24-09 for \$ 107,748.07, HC Nutting \$ 2,635.75 and Purchase Orders totaling \$ 39,254.60 for MMI of Kentucky and Edon Corporation. All payments are pending AOC approval. Motion by Wood. Seconded by DeAtley. All in favor.

Sam Howard discussed current project issues. Review and discussion was held regarding the unsuitable soil conditions found during initial test drilling activities. The unsuitable soil conditions will require additional caissons to be installed to meet engineers' requirements. Cost analysis for the required extra work have not been completed until material quantities, equipment and labor factors are determined and will be directly related to the engineers' requirements. A speculative cost could be \$175,000 or more. There will be a project delay due to additional test drilling. The utility relocation is in progress and no complaints have been received by TCCI.

A motion was made to approve and authorize Trace Creek Construction, Inc. to procure materials required to meet engineers' specifications and to proceed with the installation of additional caissons for the Fleming County Judicial Center project. All unused materials to be returned for credit. Motion by Wood. Seconded by Walton. All in favor.

A motion was made to approve the Executive Decision by AOC Vance Mitchell and Chairperson Larry H. Foxworthy made November 23, 2009 to release Phase C payment to Brandstetter Carroll Architects for \$ 251,100.00. Motion by Walton. Seconded by Wood. All in favor.

Discussion was held regarding the West Water Street parking lot. Brandstetter Carroll Architects and Trace Creek Construction, Inc. have studied the advantages/disadvantages of utilizing three types of surface for the West Water parking lot: Pervious concrete, porous asphalt or regular asphalt. Discussion was held regarding factors relating to the use of each type of surface and future maintenance costs to the county for labor, equipment and materials. Factors included the slope of the lot, water quality conditions, storm water runoff study, cost analysis of each type of surface, current clay based soil conditions and repair/maintenance costs of each type of surface. Initial estimates (excluding maintenance) for pervious concrete add approximately \$ 30,000 to the project and porous asphalt adds approximately \$ 18,000 to the project. Emily Anderson, Fleming County Conservation Office, was not present to discuss the pervious concrete option but board members commended the Conservation office's dedication of "green" alternatives for Flemingsburg and hopes that an alternative location could be found in the City of Flemingsburg for a pilot project.

A motion was made to utilize regular asphalt surface in the West Water Street parking lot. Motion by Foxworthy. Seconded by Walton. All in favor.

Judge Stockton Wood excused himself the meeting and from all discussion pertaining to the Stivers/Wood property due to a conflict of interest.

Eric Chambers, Brandstetter Carroll Architect, led the discussion regarding the purchase of the Stivers/Wood property on West Water Street for the additional parking area. The property owners have requested a green space buffer zone of 25ft, sparing of old oak tree and stone storm drain located on the property. Mr. Chambers has been working closely with the TCCI, Stivers/Wood property owners and the board members to develop a suitable cost effective design but concluded that the property is not mandatory to the development of the additional parking lot. TCCI and Brandstetter Carroll discussed the two options for the parking lot design which were the of shifting the parking lot toward Fountain Alley and eliminating the Fountain Alley green space which would still provide the same number of parking spaces and allow for the Stivers/Wood property to remain at its current location or purchase the Stivers/Wood property and comply with the property owners requests. The initial estimates for the additional parking lot including the purchase the Stivers/Wood property total \$ 350,030 and to exclude the Stivers/Wood property total \$ 289,940. Members agreed it was neither feasible nor cost effective to purchase the Stivers/Wood property with the current stipulations surrounding the property purchase.

A motion was made to decline purchasing the Stivers/Wood property for the judicial center project and to revise the current design of the parking lot by shifting over toward Fountain Alley and eliminate the green space. Motion by Foxworthy. Seconded by Walton. Not present during vote- Judge Stockton Wood. All others in favor. Motion carried.

Judge Stockton Wood returned to the meeting.

Sam Howard requested approval for Change Order # 1 totaling \$ 30,393.52 for materials and labor relocating Kentucky Utilities service lines (adding \$ 29,411.44) and door hardware/schedules (adding \$ 982.08).

A motion was made to approve Change Order # 1 totaling \$ 30,393.52. Motion by Suit. Seconded by Flanery. All in favor.

Eric Chambers stated that Brandstetter Carroll will complete the storm water study by the end of the week for submittal to TCCI, DOW and DOT. Storm water lines will have to be replaced and discussion was held regarding the current storm water lines which hold the sewer line inside. TCCI will tie into the current line behind the jail property.

Discussion was held regarding the utility relocation, sidewalks and sidewalk code requirements.

Eric Chambers stated the traffic signal relocation has been worked through with Department Of Transportation and currently under their review. Final ruling regarding the signage and mast poles should come by the end of the week. TCCI will develop cost analysis upon Department Of Transportation's approval of design. It was mentioned that the turn lanes will be eliminated by DOT at some point in the project. Discussion was held regarding the possibility of changing the intersection into a four way stop.

A motion was made to authorize the execution of purchasing the Dye and Spencer properties. Motion by Wood. Seconded by Walton. All in favor.

Next regular meeting will be held on Tuesday, January 5, 2010

Motion was made to adjourn the meeting at 6:15 PM.
Motion by Wood. Seconded by Flanery. All in favor.

Recorded By:
Tammy L. Gray